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February 23, 2001 LB 83

time on January 4, referred to the Judiciary Committee. That committee reports the bill to General File with committee amendments attached. (AM0097, Legislative Journal page 520.)

SENATOR CUDABACK: Senator Brashear, you're recognized to open on LB 83.

SENATOR BRASHEAR: Thank you. Mr. President, members of the body, I'm introducing LB 83 on behalf of the city of Omaha. Douglas County has also expressed their support for the bill and interest in it. LB 83 relates to uncollectible costs in county court misdemeanor, traffic and juvenile cases. Court costs are determined uncollectible from a defendant when, for example, a criminal case against a defendant is dismissed. Currently, the costs of bringing the case are presumed to be paid by the county or city to the State Treasurer unless the court enters an order specifically waiving those costs. LB 83 changes existing law. If costs are determined to be uncollectible, then costs are presumed waived unless the court specifically states that such costs are to be paid by the county or city that brought the claim. The bill does not eliminate the county's and city's responsibility to pay uncollectible costs to the state, but it does require the costs be waived unless the courts specifically address such costs and that way we avoid what has heretofore been a lack of attention to this detail that results in increased collection. When the bill was originally brought to me, the loss of revenue to the state was estimated to be negligible. The most current estimates pose a significantly higher number and I realize the loss of the money to the state may be of concern. The committee amendment addresses some of that issue and I will express that when we get to the committee amendment. Thank you.

SENATOR CUDABACK: Thank you, Senator Brashear. As Chairman of the Judiciary Committee, you're recognized to open on the committee amendments to LB 83.

SENATOR BRASHEAR: Thank you, Mr. President, members of the body. The amendment modifies the bill by requiring that costs relating to the...to judges retirement, which is one dollar per case, and legal services, which is two dollars per case, will